

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1349, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 25-24-1-4 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 4. **(a)** The practice of
5 optometry is hereby defined to be any ~~one of the following acts, or any~~
6 ~~combination of, or part of the following acts:~~
7 ~~(a)~~ **(1)** The:
8 **(A)** examination or **optometric** diagnosis of the human eye to
9 ascertain the presence of abnormal conditions or functions
10 which may be diagnosed, corrected, remedied or relieved; ~~or~~
11 **(B)** ~~the~~ application or prescription of lenses, prisms, **or**
12 exercises; or ~~any~~
13 **(C)** physical, mechanical, physiological, or psychological
14 therapy, or the employment of any means, for the purpose of
15 detecting any diseased or pathological condition of the eye, or
16 the effects of any diseased or pathological condition of the eye,
17 ~~which~~ **that** may have ~~any~~ significance in a complete
18 optometric diagnosis of the eye or ~~it's~~ **the eye's** associated
19 structures.
20 ~~(b)~~ **(2)** The:

- 1 (A) application, use, or ~~adaption~~ **adaptation** of physical,
 2 anatomical, physiological, psychological, or any other
 3 principles, through scientific professional methods and
 4 devices, to the examination of the eyes and vision;
 5 (B) measuring ~~their of the eyes and vision~~ function for the
 6 purpose of determining the nature and degree of ~~their the eye~~
 7 **or vision** departure from the normal, if any; and
 8 (C) adopting **of** optical, physiological and psychological
 9 measures ~~and/or the or~~ furnishing or providing **of** any
 10 prosthetic or therapeutic devices for the ~~emendation thereof~~.
 11 **improvement of the eyes or vision.**

12 **(b) The term does not include:**

- 13 **(1) surgery (as described in IC 25-22.5-1-1.1), including laser**
 14 **surgery; or**
 15 **(2) intravitreal injection into the eye."**

16 Page 1, line 4, delete "a" and insert "**only the following**".

17 Page 1, line 5, delete "drug listed under IC 35-48-2-8(e)," and insert
 18 **"drugs:**

19 **(1)".**

20 Page 1, line 5, delete "compounds," and insert "**compounds of**
 21 **aspirin or acetaminophen;**".

22 Page 1, line 6, delete "hydrocodone", begin a new line block
 23 indented and insert:

24 **"(2) hydrocodone".**

25 Page 1, line 6, delete "." and insert "**of aspirin or acetaminophen.**".

26 Page 1, line 12, delete "listed in" and insert "**not described in**
 27 **subsection (a).**".

28 Page 1, delete lines 13 through 14.

29 Page 2, line 14, delete "listed in IC 35-48-2-8(e), codeine with" and
 30 insert "**described in section 6(a) of this chapter.**".

31 Page 2, delete line 15.

32 Page 3, delete line 12.

33 Page 3, line 13, delete "narcotic drugs listed under IC 35-48-2-8(e)
 34 that are" and insert "**a narcotic drug described in section 6(a) of this**
 35 **chapter that is**".

36 Page 3, line 21, after "narcotic drugs" insert "**described in section**
 37 **6(a) of this chapter;**".

38 Page 3, delete lines 22 through 23.

1 Page 3, line 26, delete "five (5) day supply of:" and insert
 2 **"forty-eight (48) hour supply, and not more than twelve (12) doses**
 3 **of a narcotic drug described in section 6(a) of this chapter for**
 4 **treatment of a single acute:**

5 **(1) episode;**
 6 **(2) condition; or**
 7 **(3) injury."**

8 Page 3, delete lines 27 through 29, begin a new line blocked left and
 9 insert:

10 **"Before an optometrist may prescribe or dispense for a patient a**
 11 **drug described in this subsection, the optometrist must examine the**
 12 **patient. The optometrist may prescribe or dispense a drug**
 13 **described in this subsection only:**

14 **(1) in writing; and**
 15 **(2) for treatment of the eye.**

16 **If the patient's pain does not improve after forty-eight (48) hours,**
 17 **the optometrist shall refer the patient to a physician licensed under**
 18 **IC 25-22.5."**

19 Page 6, line 24, strike "at least".

20 Page 6, line 24, after "members" insert ".".

21 Page 6, line 24, strike "present and".

22 Page 6, line 25, strike "voting."

23 Re-number all SECTIONS consecutively.

(Reference is to HB 1349 as printed January 31, 2007.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

Miller

Chairperson